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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

03/09/2009

Edward G. Greive
Renner, Kenner, Greive, Bobak, Taylor & Weber
Fourth Floor
First National Tower
Akron, OH 44308-1456

EXAMINER

RODRIGUEZ, RUTH C.

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 03/09/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,483	10/17/2003	Fabrice Billarant	CAC.P0033	2195

TITLE OF INVENTION: MOULDED-OVER ARTICLE WITH A SMALL BAND COMPRISING HOOKS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/09/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

03/09/2009

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/09/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
RODRIGUEZ, RUTH C	3677	024-442000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 169 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 169 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/688,483

Examiner

RUTH C. RODRIGUEZ

Applicant(s)

BILLARANT, FABRICE

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 17 November 2008.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Election/Restrictions

Claims 1-8 and 12-20 directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claims 9-11, directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, **the restriction requirement as set forth in the Office action mailed on 28 June 2008 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, Hattori et al. (US 5,662,853) discloses an article (20) over which a molding (14) is to be made by pouring foam on the article while the article is placed on top of a cavity (120) delimited by vertical walls having a top surface (Fig. 6a). The article comprises an element (20) having a central strip region and left and right ledge regions (Figs. 6a-6c). The element has a top surface and a bottom surface, fasteners (24) extending from the central strip region of the bottom surface and the element includes a material and a thickness (Figs. 6a-6c). The bottom surfaces of the ledge regions being in contact with the top surfaces of the vertical walls to provide surface to surface contact between the ledge regions and the vertical walls during the entire foam pour when the article is placed on top of the cavity, with the fasteners inside the walls and facing the cavity (Figs. 6a-6c). The central strip region of the bottom surface, from which the fasteners are extending, except for the fasteners, is the lowest part of the article (Figs. 6a-6c). The central strip region is flat in a transversal direction of the article and has a width measured in the transversal direction (measured from the top edge to the lower edge of the element shown in Fig. 2a). The right and left ledge regions have respective left and right portions extending parallel to the central flat strip region when the article is placed on top of a cavity and foam is being poured on it (Figs. 6a and 6b). The right and left portions having respective left and right widths in the transversal direction (Figs. 2a). The article has a stem mold 122 that remains in place to protect the fasteners from the heat of the molten material during the molding process of the molding (12) and molten material is prevented from entering between the adjacent fasteners (C. 10, L. 15-23). Hattori fails to disclose that the article has hooks

as the fasteners, a magnetically attractable material is fixed to the element, the fastener strip has a width of less than 10 mm and that the sum of said left and right portion widths is larger than the width of the central strip region where the left and right widths of the left and right portion solely prevent foam from entering the cavity during pouring of the foam. Although, Fleuchaus teaches an article over which a molding is to be made by pouring foam on it while it is place on top of a cavity (between walls 24) delimited by vertical walls (24) having a top surfaces (Fig. 2) that has hooks (56) are extending from the central strip region of the bottom surface of the base to secure a trim cover to the molding during normal wear-and-tear of a motor vehicle seat that uses the molding and metallic material (60) is fixed on the bottom surface of the base so that the metallic material is attracted to a magnetic strip (38) extending along the bottom surface of the cavity and the magnetic attraction of the metallic material and the magnetic strip holds the article in place as the foam pad is molded and cured and it would have been obvious to one having ordinary skill in the art at the time the invention was made to have hooks as the fasteners and the metallic material being fixed on the top of the base as taught by Fleuchaus in the article disclosed by Hattori and it would also have been obvious to one having ordinary skill in the art at the time the invention was made to have the fastener strip having a width of less than 10 mm since a change in the size of a prior art device is a design consideration within the skill of the art, it would **not** have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have the left and right widths of the left and right portions solely preventing foam from entering the cavity during pouring of the foam. By providing the additional width for the

left and right portions, the need of a stem mold 122, disclosed by Hattori that must be removed after the molding is formed, is eliminated since the additional width will solely prevent foam from entering the cavity during pouring of the foam. The molding process is simplified by the elimination of the stem mold since the hooks can be easily molded without the need of stem molds.

Regarding to claim 9, Hattori discloses a method of manufacturing a moulded object (14) of foam to which one or more articles for moulding is fixed by hardening of the foam on the top surface of the base after the form has been poured in a mold (Figs. 6a-6c). The method of manufacturing comprises a moulded-over article having hooks (as taught Fleuchaus when the combination of Hattori and Fleuchaus as recited above is considered) by projecting towards the exterior of the moulded object, characterized in that it comprises: a) forming at the base of a mould a cavity (120) comprising two side walls spaced apart preferably by a distance of between 4.5 and 12 mm; b) placing an article for moulding over as recited above on the outer top edges of the two side walls, the hooks being directed towards the interior of the cavity formed by the two side walls at the base of the mould (Figs. 6a-6c), then c) pouring liquid foam into the mould so that it will be fixed on the top surface of the moulded-over article by solidification without being able to penetrate to the interior of the cavity to damage the hooks (Figs. 6a-6c). Hattori still fails to disclose that the article has hooks as the fasteners, a magnetically attractable material is fixed to the element, the fastener strip has a width of less than 10 mm and that the sum of said left and right portion widths is larger than the width of the central strip region where the left and right widths of the left and right portion solely

prevent foam from entering the cavity during pouring of the foam. Although, Fleuchaus teaches an article over which a molding is to be made by pouring foam on it while it is place on top of a cavity (between walls 24) delimited by vertical walls (24) having a top surfaces (Fig. 2) that has hooks (56) are extending from the central strip region of the bottom surface of the base to secure a trim cover to the molding during normal wear-and-tear of a motor vehicle seat that uses the molding and metallic material (60) is fixed on the bottom surface of the base so that the metallic material is attracted to a magnetic strip (38) extending along the bottom surface of the cavity and the magnetic attraction of the metallic material and the magnetic strip holds the article in place as the foam pad is molded and cured and it would have been obvious to one having ordinary skill in the art at the time the invention was made to have hooks as the fasteners and the metallic material being fixed on the top of the base as taught by Fleuchaus in the article disclosed by Hattori and it would also have been obvious to one having ordinary skill in the art at the time the invention was made to have the fastener strip having a width of less than 10 mm since a change in the size of a prior art device is a design consideration within the skill of the art, it would **not** have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have the left and right widths of the left and right portions solely preventing foam from entering the cavity during pouring of the foam. By providing the additional width for the left and right portions the need of a stem mold 122, disclosed by Hattori that must be removed after the molding is formed, is eliminated since the additional width will solely prevent foam from entering the cavity during pouring of the foam. The molding process is simplified

by the elimination of the stem mold since the hooks can be easily molded without the need of stem molds.

Regarding claim 12, Hattori discloses an article (20) over which a molding (14) is to be made by pouring foam on the article while the article is placed on top of a cavity (120) delimited by vertical walls. Each vertical wall has a top surface (Fig. 6a). The article comprises an element (20) having a central strip region and left and right ledge regions (Figs. 6a-6c). The element has a top surface and a bottom surface, fasteners (24) extending from the central strip region of the bottom surface and the element includes a material and a thickness (Figs. 6a-6c). The bottom surfaces of the ledge regions are in contact with the top surfaces of the vertical walls to provide surface to surface contact between the ledge regions and the vertical walls during the entire foam pour when the article is placed on top of the cavity, with the hooks inside the walls and facing the cavity (Figs. 6a-6c). The central strip region of the bottom surface, from which the fasteners are extending, except for the fasteners, is the lowest part of the article (Figs. 6a-6c). Hattori fails to disclose that the article has hooks as the fasteners, a magnetically attractable material is fixed to the element, the fastener strip has a width of less than 10 mm, that the sum of said left and right portion widths is larger than the width of the central strip region and that the left and right widths of the left and right portions solely prevent foam from entering the cavity during pouring of the foam. Although, Fleuchaus teaches an article over which a molding is to be made by pouring foam on it while it is placed on top of a cavity (between walls 24) delimited by vertical walls (24) having a top surfaces (Fig. 2) that has hooks (56) are extending from the

central strip region of the bottom surface of the base to secure a trim cover to the molding during normal wear-and-tear of a motor vehicle seat that uses the molding and metallic material (60) is fixed on the bottom surface of the base so that the metallic material is attracted to a magnetic strip (38) extending along the bottom surface of the cavity and the magnetic attraction of the metallic material and the magnetic strip holds the article in place as the foam pad is molded and cured and it would have been obvious to one having ordinary skill in the art at the time the invention was made to have hooks as the fasteners and the metallic material being fixed on the top of the base as taught by Fleuchaus in the article disclosed by Hattori and it would also have been obvious to one having ordinary skill in the art at the time the invention was made to have the fastener strip having a width of less than 10 mm since a change in the size of a prior art device is a design consideration within the skill of the art, it would **not** have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have the left and right widths of the left and right portions solely preventing foam from entering the cavity during pouring of the foam. By providing the additional width for the left and right portions the need of a stem mold 122, disclosed by Hattori that must be removed after the molding is formed, is eliminated since the additional width will solely prevent foam from entering the cavity during pouring of the foam. The molding process is simplified by the elimination of the stem mold since the hooks can be easily molded without the need of stem molds.

Regarding claim 19, Hattori discloses an article (20) over which a molding (14) is to be made by pouring foam on the article while the article is placed on top of a cavity

(120) delimited by vertical walls (Figs. 6a-6c). Each of the vertical walls has a top surface (Figs. 6a-6c). The article comprises an element (20) having a central strip region and left and right ledge regions (Figs. 6a-6c). The element has a top surface and a bottom surface, fasteners (24) extending from the central strip region of the bottom surface and the element includes a material and a thickness (Figs. 6a-6c). The bottom surfaces of the ledge regions are in contact with the top surfaces of the vertical walls during the entire foam pour when the article is placed on top of the cavity with the hooks inside the walls and facing the cavity (Figs. 6a-6c). The central strip region of the bottom surface, from which the fasteners are extending, except for the fasteners, is the lowest part of the article (Figs. 6a-6c). Hattori fails to disclose that the article has hooks as the fasteners, a magnetically attractable material is fixed to the element, the fastener strip has a width of less than 10 mm, that the sum of said left and right portion widths is larger than the width of the central strip region and that the left and right widths of the left and right portions solely prevent foam from entering the cavity during pouring of the foam.. Although, Fleuchaus teaches an article over which a molding is to be made by pouring foam on it while it is place on top of a cavity (between walls 24) delimited by vertical walls (24) having a top surfaces (Fig. 2) that has hooks (56) are extending from the central strip region of the bottom surface of the base to secure a trim cover to the molding during normal wear-and-tear of a motor vehicle seat that uses the molding and metallic material (60) is fixed on the bottom surface of the base so that the metallic material is attracted to a magnetic strip (38) extending along the bottom surface of the cavity and the magnetic attraction of the metallic material and the magnetic strip holds

the article in place as the foam pad is molded and cured and it would have been obvious to one having ordinary skill in the art at the time the invention was made to have hooks as the fasteners and the metallic material being fixed on the top of the base as taught by Fleuchaus in the article disclosed by Hattori and it would also have been obvious to one having ordinary skill in the art at the time the invention was made to have the fastener strip having a width of less than 10 mm since a change in the size of a prior art device is a design consideration within the skill of the art, it would **not** have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have the left and right widths of the left and right portions solely preventing foam from entering the cavity during pouring of the foam. By providing the additional width for the left and right portions the need of a stem mold 122, disclosed by Hattori that must be removed after the molding is formed, is eliminated since the additional width will solely prevent foam from entering the cavity during pouring of the foam. The molding process is simplified by the elimination of the stem mold since the hooks can be easily molded without the need of stem molds.

Regarding claim 20, Hattori discloses an article (20) over which a molding (14) is to be made by pouring foam on the article while the article is placed on top of a cavity (120) delimited by vertical walls (Figs. 6a-6c). Each of the vertical walls has a top surface (Fig. 6a-6c). The article comprises an element (20) having a central strip region and left and right ledge regions (Figs. 6a-6c). The element has a top surface and a bottom surface, fasteners (24) extending from the central strip region of the bottom surface (Figs. 6a-6c). The central strip region of the bottom surface, from which the

fasteners are extending, except for the fasteners, is the lowest part of the article (Figs. 6a-6c). The article is in such a material and having a thickness that the bottom surfaces of the ledge regions being in contact with the top surfaces of the vertical walls during the entire foam pour when the article is placed on top of the cavity, with the hooks inside the walls and facing the cavity (Figs. 6a-6c). Hattori fails to disclose that the article has hooks as the fasteners, a magnetically attractable material is fixed to the element, the fastener strip has a width of less than 10 mm, that the sum of said left and right portion widths is larger than the width of the central strip region and that the left and right widths of the left and right portions solely prevent foam from entering the cavity during pouring of the foam. Although, Fleuchaus teaches an article over which a molding is to be made by pouring foam on it while it is placed on top of a cavity (between walls 24) delimited by vertical walls (24) having a top surfaces (Fig. 2) that has hooks (56) are extending from the central strip region of the bottom surface of the base to secure a trim cover to the molding during normal wear-and-tear of a motor vehicle seat that uses the molding and metallic material (60) is fixed on the bottom surface of the base so that the metallic material is attracted to a magnetic strip (38) extending along the bottom surface of the cavity and the magnetic attraction of the metallic material and the magnetic strip holds the article in place as the foam pad is molded and cured and it would have been obvious to one having ordinary skill in the art at the time the invention was made to have hooks as the fasteners and the metallic material being fixed on the top of the base as taught by Fleuchaus in the article disclosed by Hattori and it would also have been obvious to one having ordinary skill in the art at the time the invention was made to

have the fastener strip having a width of less than 10 mm since a change in the size of a prior art device is a design consideration within the skill of the art, it would **not** have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have the left and right widths of the left and right portions solely preventing foam from entering the cavity during pouring of the foam. By providing the additional width for the left and right portions the need of a stem mold 122, disclosed by Hattori that must be removed after the molding is formed, is eliminated since the additional width will solely prevent foam from entering the cavity during pouring of the foam. The molding process is simplified by the elimination of the stem mold since the hooks can be easily molded without the need of stem molds.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor D. Batson can be reached on (571) 272-6987.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/RCR/
Ruth C. Rodriguez
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rcr
March 6, 2009

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